

From: Rawls
To: Microsoft ATR,ag@oag.state.fl.us@inetgw
Date: 11/20/01 10:58am
Subject: Comments

With respect to the proposed Consent Decree ("Decree") between the United States Department of Justice ("DOJ") and the Microsoft Corporation ("Microsoft" or "Company") in settlement of the antitrust action between DOJ and Microsoft, I must express my condemnation of the Decree in the strongest possible terms and I respectfully request that the Court reject the Decree for the reasons set forth below.

The Decree in no way serves the public interest or the public good.

The Decree approaches, but does not even achieve, a mere slap-on-the-wrist for the continuing behavior of this convicted, unrepentant abusive monopolist.

There are no penalties imposed for Microsoft's behavior whatsoever. Why are there no fines, no court costs, and no DOJ costs of prosecution being recovered? Why are no damages of whatever type being paid?

Why is the management of Microsoft--the same management that has blatantly breached previous settlement agreements--being allowed to remain in charge of the Company?

It is possible for a reasonable person to view the behavior of Microsoft as racketeering and the Company's actions should be investigated to determine if such actions in fact fit that pattern.

In summary, the Decree lacks penalties that fit the crime. The Decree will not end Microsofts monopoly abuse behavior and will encourage the continuation of such behavior in the future. I predict the government will soon be back in court with another Microsoft antitrust suit if this Decree is accepted.

Thank you.

(signed)
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